



# Agricultural Land Preservation in Montgomery County

Jeremy V. Criss  
Office of Agricultural Services Director

Photo courtesy of Lee Lanstaff

# County Population

## 1 million people

- Diverse
- Growing
- Built-out
- Redevelopment



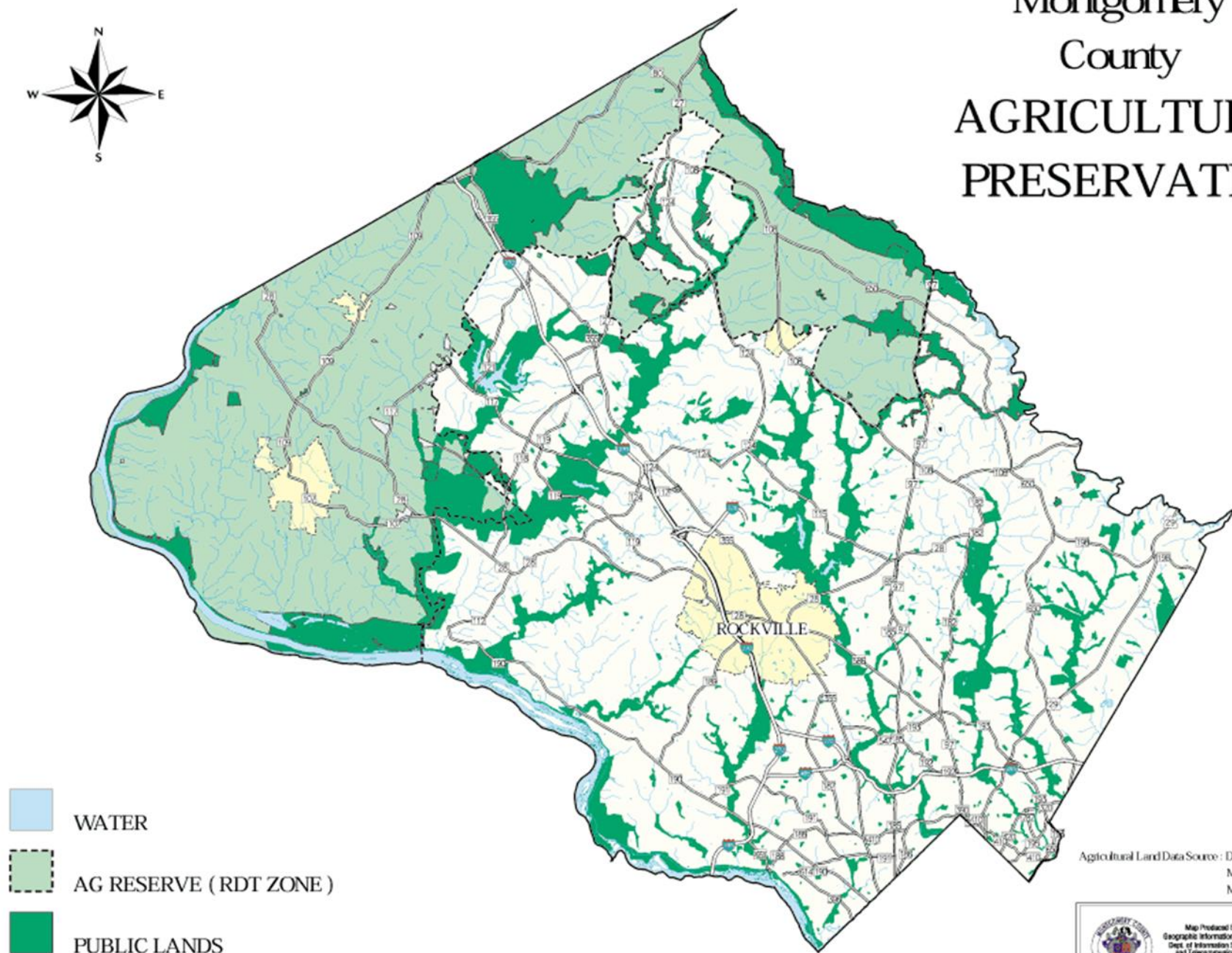
# Master Planning and Agriculture Zoning




- *Montgomery County is comprised of 21 policy-master planned areas*
- *Functional Master Plan for the Preservation of Agriculture and Rural Open Space (October 1980)*
- Created a 93,000 acre agricultural reserve which reduced the threat of residential development from 1 unit per 5 acres to 1 unit per 25 acres





# Montgomery County AGRICULTURAL PRESERVATION



-  WATER
-  AG RESERVE ( RDT ZONE )
-  PUBLIC LANDS

Agricultural Land Data Source : DED Agricultural Services  
MNCP& PC  
MD Office of Planning



Map Produced By:  
Geographic Information Systems  
Dept. of Information Systems  
and Telecommunications  
Montgomery County, Maryland  
Date: December 21, 2000





# Agricultural Zoning

**Agricultural Zoning –promotes Agricultural and Rural Landscapes**

**The Agricultural Reserve (AR) Zone  
reduces development from  
1 unit per 5 acres to 1 unit per 25 acres**

**Agricultural zoning does not place  
long term protections to the land**

**Other preservation tools accomplish  
long term preservation - Perpetual Easements**

**Batchelors Purchase - RLP**



# Reserved through zoning, preserved by easements

**Agricultural Reserve Zone (AR)**  
**Transfer of Development Rights Programs (TDR)**  
**Purchase of Development Rights Programs (PDR)**  
**In Fee Acquisition (Public Parkland)**

**Alexander Gordon - AEP**



# Transferable Development Rights (TDR) Policies

**TDRs shift development from agricultural reserve  
to designated growth areas closer to public services**

**The number of TDRs is based upon 1 TDR per 5 acres  
of land in the agricultural reserve**

**A TDR easement is recorded in the land records**

**This easement ensures the property will not be developed  
for residential use at densities which exceed  
1 unit per 25 acres**

**TDR Easement**

Application in the form  
of a Preliminary  
Subdivision Plan  
Utilizing TDR's

Planning Board Approval

Site Plan

Planning Board Approval

Recorded Easement and Deed  
of Transfer indicating restriction  
on the sending area and the  
ownership of TDRs



TDR  
SENDING AREA

Prepared Subdivision Record Plat  
indicating use of TDRs in the  
receiving area



TDR  
RECEIVING AREA

Planning Board Approval  
Record Plat  
recorded in Office of Land Records



# Transferable Development Rights (TDR) Process

- The County approves TDR Easement and TDR Deed of Transfer
- The approved TDR Easement is recorded prior to the recordation of the TDR Deed of Transfer
- The County Attorney assigns serial numbers to TDRs at the time a TDR Easement is approved
- Retained TDRs must be referenced in the TDR Easement if a grantor wishes to use TDRs for future Transfer (Excess TDRs) or to build a house (Buildable TDRs)

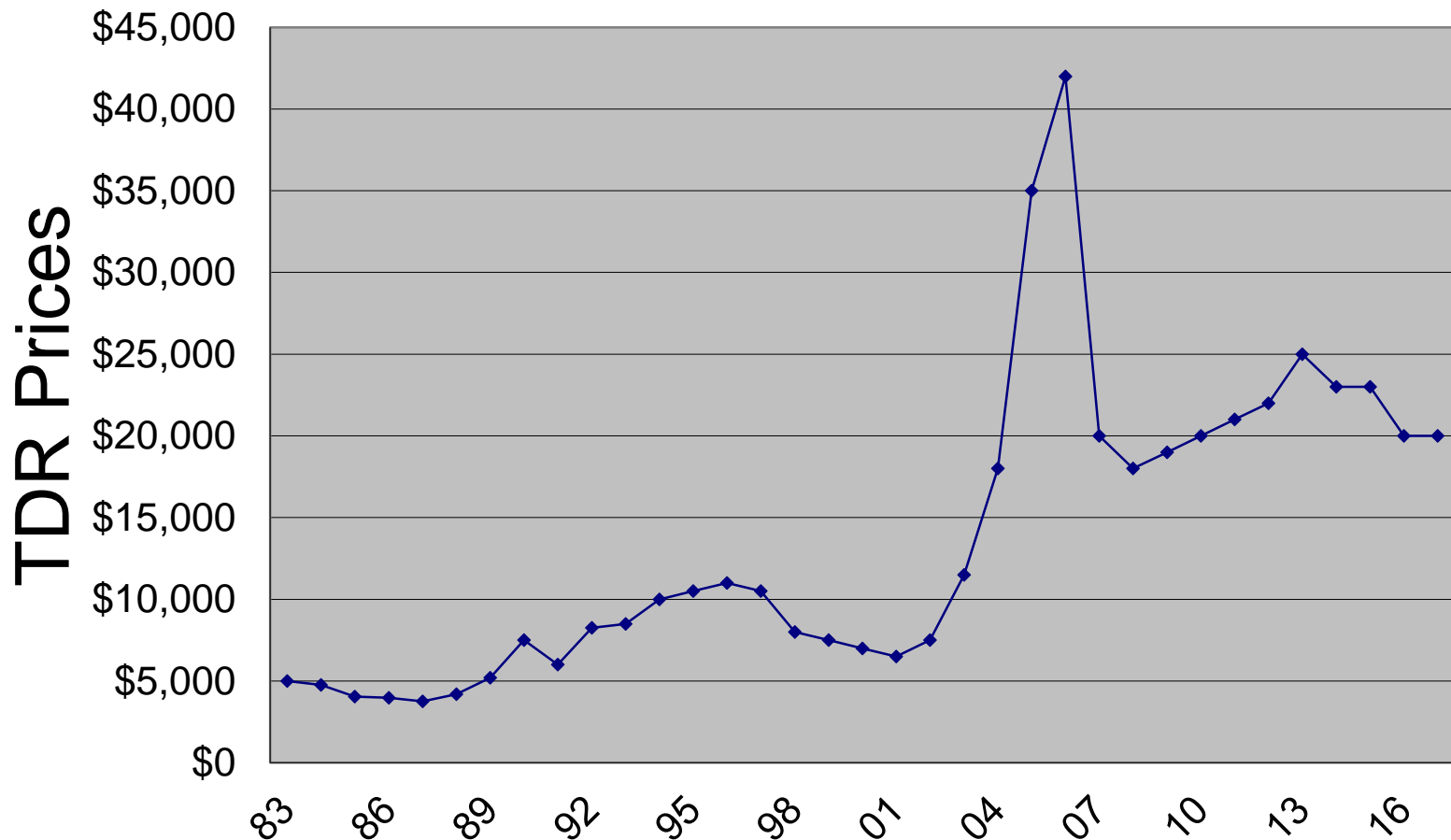
# Transferable Development Rights (TDR) Process

- The number of TDRs is based upon the acreage of the property in the (sending area)
- The number of TDRs used for an approved record plat (receiving area) must reference the serial numbers of the TDRs
- The Development Review Division (DRC) maintains a list of the TDR serial numbers that have been used and approved on record plats
- Before a plat using TDRs is recorded, the DRC will verify that the TDR serial numbers have not already been used

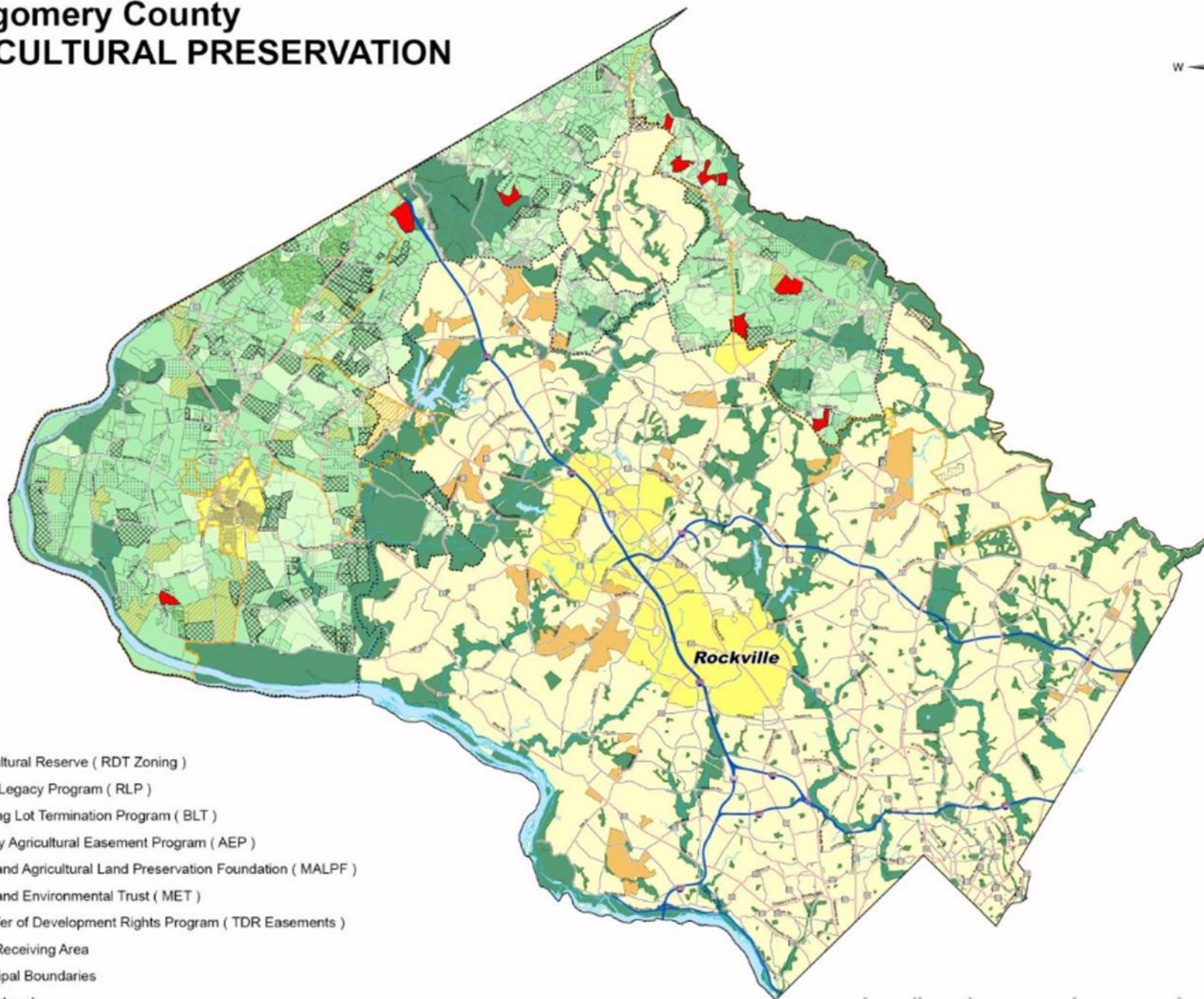


# Average TDR Prices

## Average TDR Prices



# Montgomery County AGRICULTURAL PRESERVATION



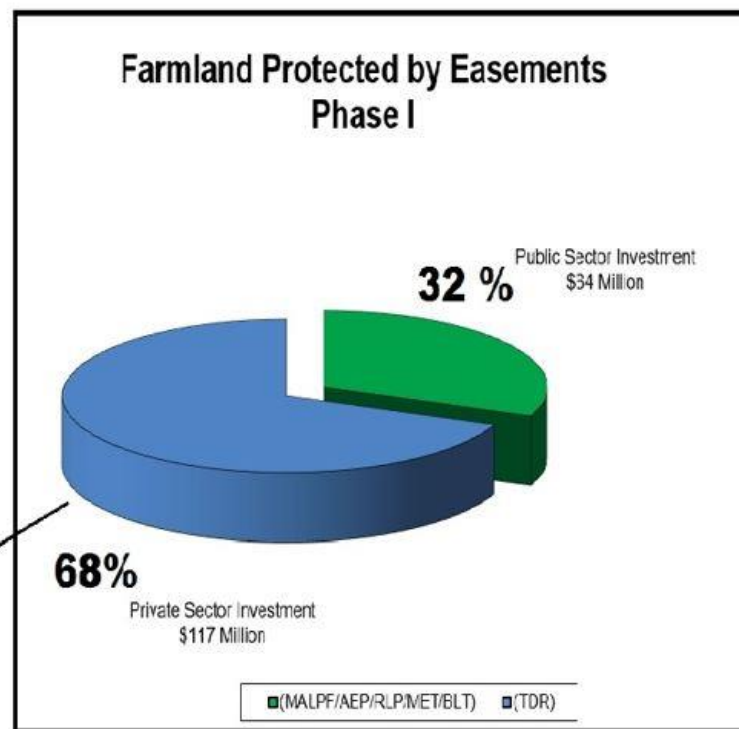
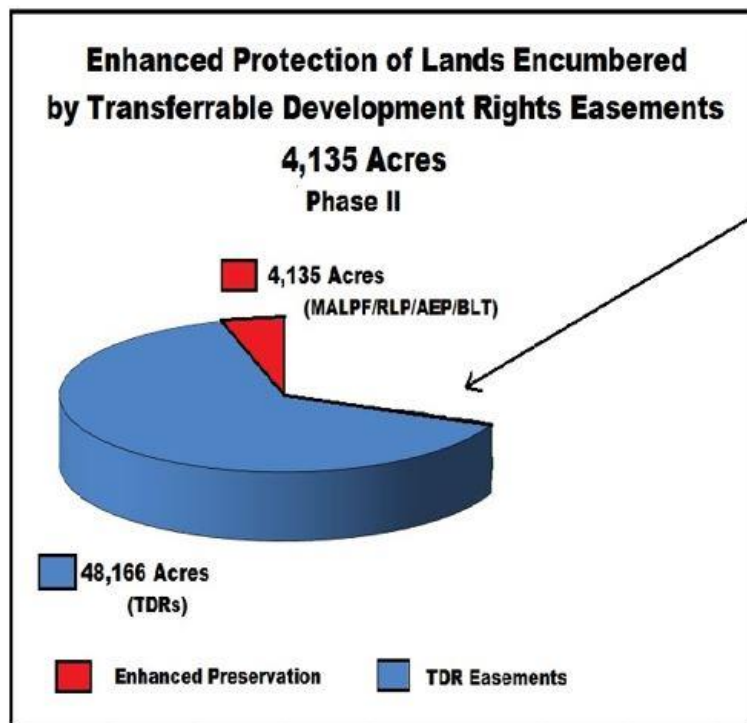
## Legend

- Agricultural Reserve ( RDT Zoning )
- Rural Legacy Program ( RLP )
- Building Lot Termination Program ( BLT )
- County Agricultural Easement Program ( AEP )
- Maryland Agricultural Land Preservation Foundation ( MALPF )
- Maryland Environmental Trust ( MET )
- Transfer of Development Rights Program ( TDR Easements )
- TDR Receiving Area
- Municipal Boundaries
- Public Lands

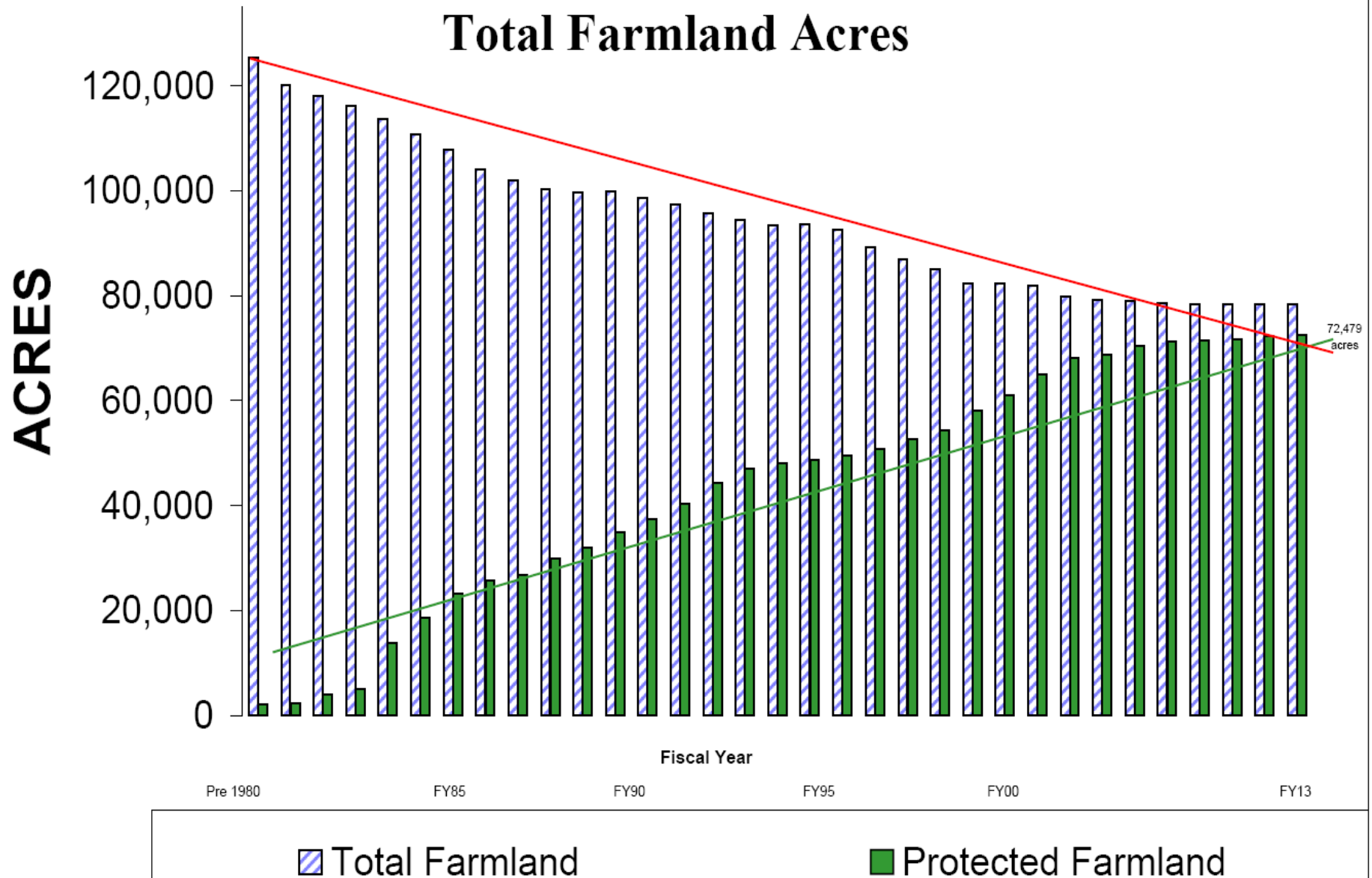
0 1.5 3 6 9 12 Miles



# Montgomery County Agricultural Land Preservation Relationship of Phase I and Phase II Preservation Goals



# Protected Farmland Acres and Total Farmland Acres







# Questions?

Jeremy V. Criss  
Agricultural Services Director